

PETITION NUMBER: 0806-ZOA-08
REQUEST: To amend the Westfield-Washington Township Zoning Ordinance with the revised Sign Ordinance, WC 16.18.
EXHIBITS: 1. Staff Report
2. Ordinance
STAFF REVIEWER: Jennifer Miller

PETITION HISTORY:
None.

PROCEDURAL

- The June 2, 2008 Workshop Meeting represents the first appearance of the Zoning Ordinance Amendment for section WC 16.18 Signs.
- Notification of the June 2, 2008 Workshop Meeting was provided in accordance with the Rules of Procedure. Notice of the June 2, 2008 Workshop Meeting was posted to the City web site and at City Hall.
- Petitions for Zoning Ordinance Amendments are not approved at Workshop Meetings. The purpose of the Workshop Meeting is to allow Advisory Plan Commission members and the public to become familiar with the pending amendment, identify issues, and inquire as to potential modifications prior to the full Advisory Plan Commission public hearing.

REVIEW OF CHANGES

The Sign Ordinance has undergone a complete renovation. Due to the amount and significance of the changes, a redline copy is not available. Many of the enhancements include the removal of vague language, a more orderly presentation of standards and more stringent standards; all of which staff believes will create more aesthetically pleasing business corridors without overwhelming the community's *Old Town Charm, New City Style* character. The ordinance as a whole takes into account many of the new requests staff receives for signage and has been adjusted so that the Board of Zoning Appeals will see fewer requests for sign variances.

The revised structure clearly outlines the requirements for signage while removing some unnecessary sign fees for our residents. For example, Garage Sale and Sandwich Board will continue to have requirements for size, placement and number of days allowed; however, these signs will no longer require applications, permits, or fees.

Many standards remain from the previous ordinance. These have been improved with the addition of new standards and reorganization to a cleaner format. The new format lists standards individually instead of in a grouped fashion. Bonuses have been removed as staff feels that aesthetically pleasing signs should be an expectation and requirement, not incentivized.



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION
WORKSHOP REPORT
May 27, 2008
0806-ZOA-08
Exhibit 1

RECOMMENDATIONS

At this time there are no recommendations.

JMM

Sign Standards
WC 16.18

A. Applicability

These regulations shall be applicable to all persons, firms, partnerships, associations and corporations owning, occupying or having control or management of any premises located within the City of Westfield or Washington Township planning and zoning jurisdiction.

B. Purpose and Intent

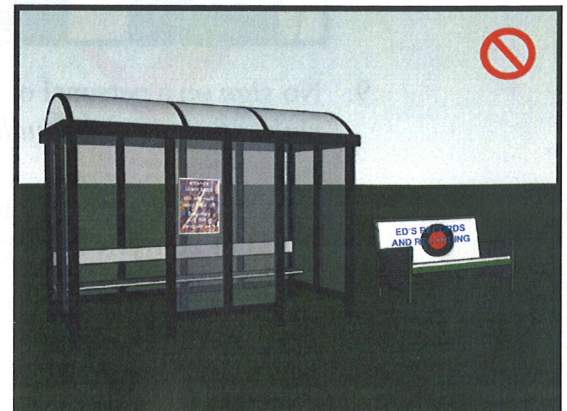
The purpose of this ordinance is to regulate all outdoor advertising and signage. These regulations are intended to enhance the physical appearance of the community and to preserve the scenic and natural beauty while creating an attractive economic and business climate. The following objectives are accomplished by establishing the minimum amount of regulation necessary regarding size, placement, construction, *illumination* and other *sign* aspects in order to:

1. Recognize the proliferation of *signs* is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of *signs* directing and warning the public, creates confusion, reduces desired uniform traffic flow and creates potential for accidents.
2. Eliminate potential conflicts between business *signs* and traffic control *signs*, which could create confusion and hazardous consequences.
3. Recognize the principle intent of commercial *signs* is for identification of an establishment on the premises, not for advertising special events, brand names or off-premises activities.
4. Enable the public to locate goods, services and facilities without excessive confusion by restricting the number and placement of *signs*.
5. Prevent placement of *signs* which will conceal or obscure *signs* of *adjacent* uses.
6. Protect the public right to receive messages, especially non-commercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the United States Constitution.

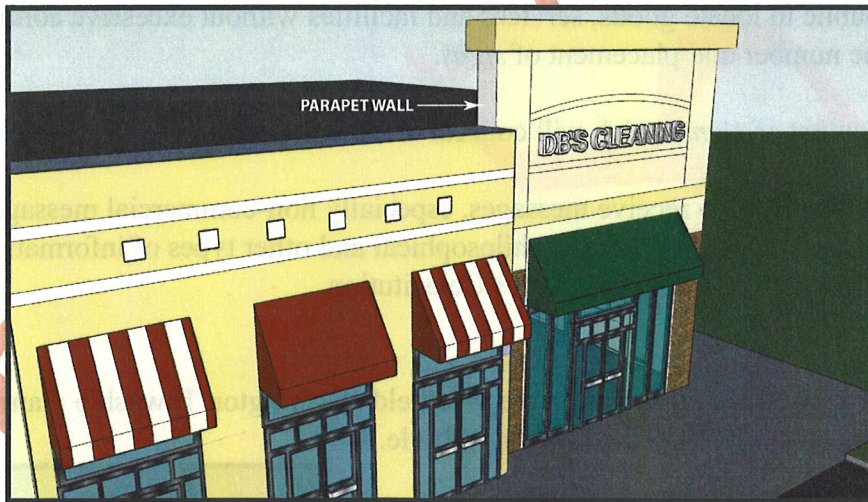
C. General Prohibitions

These prohibitions shall apply to all *signs* within the Westfield-Washington Township planning and zoning jurisdiction unless otherwise stated within this Article.

1. No *sign* shall be placed on utility poles, street lights, traffic signals, street *signs*, fire hydrants, benches, trees, or other publicly-owned items.
2. No *sign* shall create a traffic hazard for vehicles or pedestrians, or interfere with the visibility of any traffic control device due to its size, location, context, or manner of *illumination*.



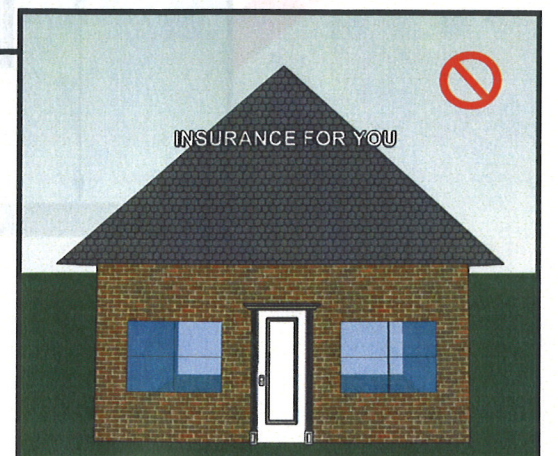
3. No *sign* shall be placed in any public *right-of-way* except *regulatory signs*.
4. No *sign* shall project into the public *right-of-way* except *projecting signs* as permitted in this Article.
5. *Painted wall signs* shall not be permitted except in the Downtown Area as defined by the Westfield-Washington Township Comprehensive Plan.
 - i. Such *signs* shall not contain any brand name, product name, letters of the alphabet spelling or abbreviation the name of any product, company, profession or business, or any logo trademark, trade name copyright or other commercial message.
6. No *sign* shall be placed so as to obstruct any fire escape, required exit, window or door opening used as a means of passage from one part of a roof to another or as access for fire fighting purposes.
7. *Signs* that do not meet the provisions of this Article or do not identify or advertise a *bona fide* business, *tenant*, owner, activity conducted or product available on the premises where the *sign* is displayed shall be considered an obsolete *sign*.
 - i. When such a *sign* exists for a period of three (3) months, it shall be conclusively presumed to be abandoned and shall be removed including all *sign* supports and associated supportive structures and/or mechanisms.
8. No *signs* shall extend above a *roofline*, *eave*, or *parapet* of a *building wall*.



9. No *sign* on a personal or commercial *vehicle* or trailer shall be placed between the public *right-of-way* and the *building* within which the business is located.
10. No *sign* designed, manufactured and otherwise intended for use as a *temporary sign* shall be used or converted to a permanent *sign*.

11. The following *signs* shall not be permitted and are subject to removal and/or fines:

- i. *Festoon signs and lighting*
- ii. *Flashing signs*
- iii. *Animated signs*
- iv. *Moving signs*
- v. *Video display sign*
- vi. *Inflatable signs*
- vii. *Portable signs*
- viii. *Pole signs*
- ix. *Under canopy signs*
- x. *Off-premise signs*
- xi. *Individual illuminated panel or box signs with light colored reflective backgrounds*
- xii. *Signs on gas station canopies*
- xiii. *Billboard signs*
- xiv. *Mascot signs*
- xv. *Roof-mounted signs*
- xvi. *Portable changeable copy signs*
- xvii. *Any other sign not specifically permitted by this ordinance*



D. Exemptions

The following non-*illuminated signs*, unless otherwise stated, shall be permitted throughout the Westfield-Washington Township jurisdiction without obtaining a permit prior to installation if the *sign(s)* are in compliance with the conditions specified for each. *Signs* listed below shall not be counted against the total *sign area* allotment for a property.

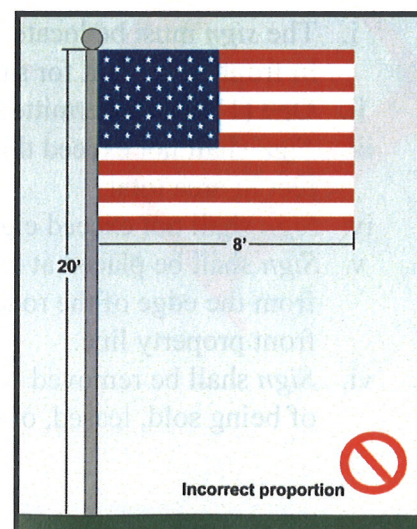
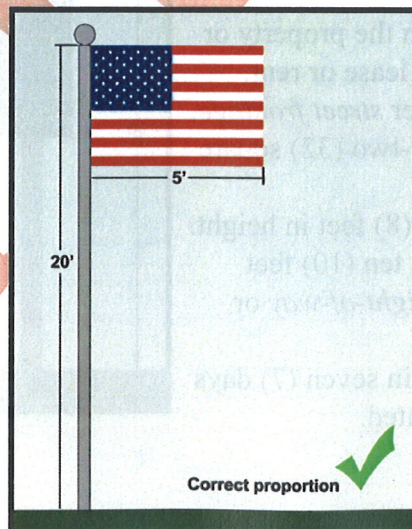
1. *Regulatory* and street *signs*.
2. *Street Addresses*, provided:
 - i. *Addresses* shall not be less than four (4) inches in height.
 - ii. *Addresses* may be *illuminated* with low wattage lighting.
 - iii. *Addresses* shall be a contrasting color from the surface they are affixed to.
3. Decorative seasonal displays for holidays, public demonstrations, civic welfare or charitable purposes when authorized by the City Council or their designee provided the display does not contain any advertising material.
4. Private *Informational signs* on residential property.
 - i. *Signs* shall not exceed four (4) square feet in area.
 - ii. May be used for “no trespass,” “private,” etc.
5. *Garage Sale signs* in residential districts provided:
 - i. *Signs* are permitted for a maximum of four (4) days.
 - ii. *Sign area* shall not exceed three (3) square feet in area per face.
 - iii. *Signs* shall not exceed three (3) feet in height.



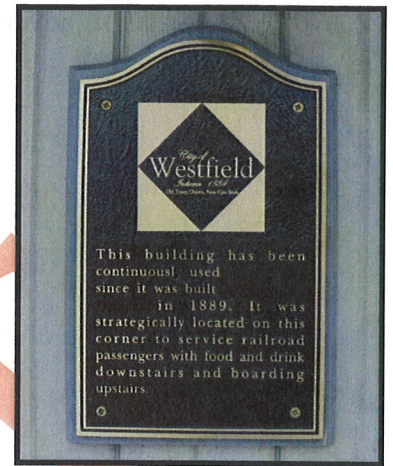
6. *Signs* advertising waste haulers on temporary trash receptacles.



7. *Temporary Regulatory* and *Municipal signs* installed for purposes of safety, legal notice, emergency signage, special events or other *signs* approved by the City Council or their designee.
8. *Temporary signs* advertising events put on by the Westfield-Washington School District, the City of Westfield, and Washington Township.
- i. *Sign* shall be located on property owned or leased by the one of the above listed entities.
9. Flags bearing the official design and seal of the United States, State of Indiana, City of Westfield, a public educational institution, or official logo of a corporation or award flags provided:
- i. No more than four (4) different flags are permitted on any single lot of record.
 - ii. Flags shall occupy no more than one-quarter (1/4) the total length of the pole above grade upon which the flag(s) are hoisted.
 - iii. Flagpoles may be *illuminated* by uplights or floodlights as required by Federal law.
 1. The beam shall be limited to as required to *illuminate* the flag clearly. Adjustable louvers shall be used to limit the beam.
 2. Maximum light level at the flagpole shall be 20 foot candles.
 3. Maximum lamp size shall be 100 watts.

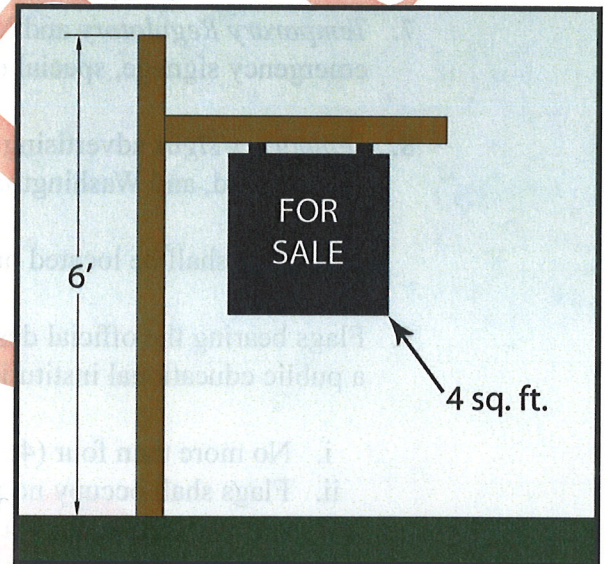


10. Memorial or historical *signs* or tablets, and building date of erection when *signs* are cut into masonry surface or constructed of bronze or other noncombustible material.



11. *Real Estate signs* advertising the sale, lease or rental of property in residential districts provided:

- i. The *sign* must be located on the property or in front of the unit for sale, lease or rent.
- ii. One (1) *sign* is permitted per *street frontage*.
- iii. *Sign* shall not exceed six (6) square feet in area per face.
- iv. *Sign* shall not exceed four (4) feet in height.
- v. *Sign* shall be placed at least five (5) feet from the edge of the road *right-of-way* or front property line.
- vi. *Sign* shall be removed within seven (7) days of being sold, leased or rented.



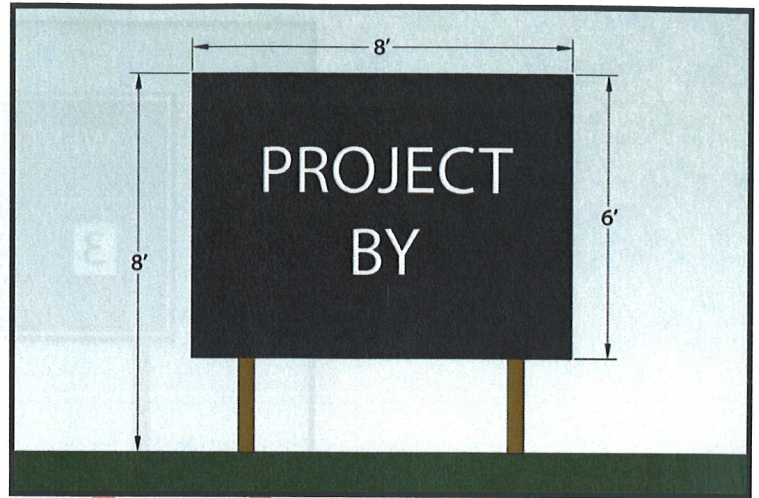
12. *Real estate signs* advertising the sale, lease or rental of property in nonresidential districts provided:

- i. The *sign* must be located on the property or in front of the unit for sale, lease or rent.
- ii. One (1) *sign* is permitted per *street frontage*.
- iii. *Sign* shall not exceed thirty-two (32) square feet in area total.
- iv. *Sign* shall not exceed eight (8) feet in height.
- v. *Sign* shall be placed at least ten (10) feet from the edge of the road *right-of-way* or front property line.
- vi. *Sign* shall be removed within seven (7) days of being sold, leased, or rented.



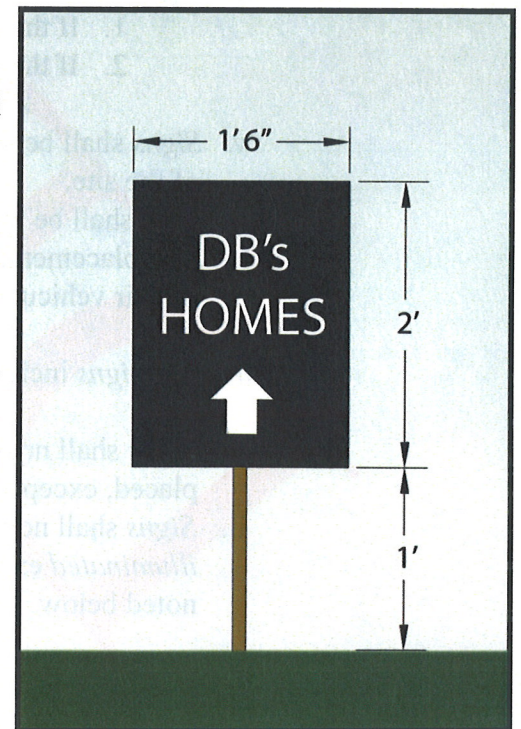
13. *Construction Project signs* advertising developments under construction provided:

- i. The *sign* must be located on the property under construction.
- ii. One (1) *sign* is permitted per street *frontage*.
- iii. *Sign* shall not exceed forty-eight (48) square feet in area total.
- iv. *Sign* shall not exceed eight (8) feet in height.
- v. *Sign* shall be placed at least ten (10) feet from the edge of the road *right-of-way* or front property line.
- vi. *Signs* advertising construction shall be removed when the project has reached seventy-five (75) percent completion.
- vii. *Sign* may indicate the name of the architects, engineers, landscape architects, contractors and similar artisans, and owners, financial supporters, sponsors and similar persons or firms having a role or interest with respect to the project.
- viii. *Sign* shall not advertise the sale, lease or rent of the project or units within the project.



14. *Open House signs* directing traffic to residential sales within developments under construction or individual units in residential districts provided:

- i. *Signs* are located within 1.5 miles of the model *center* or the *dwelling* for sale.
- ii. Placement of *signs* on private property is prohibited without the permission of the property owner.
- iii. *Signs* shall be located ten (10) feet from street pavement edge or outside the *right-of-way*, whichever is farther from the centerline of the road.
- iv. *Signs* must be located outside the *clear vision triangle* measured forty (40) feet from the intersection of a collector or local road *right-of-way* or easement; or seventy-five (75) feet from the intersection of arterials.
- v. The maximum number of *signs* for a single subdivision shall not exceed five (5).
- vi. The maximum number of *signs* for an individual *dwelling* shall not exceed three (3).
- vii. *Signs* shall not advertise developments located outside the Westfield-Washington Township planning and zoning jurisdiction.
- viii. *Signs* shall be free-standing.
- ix. *Sign area* shall not exceed three (3) square feet in area per face.
- x. *Sign* height shall not exceed three (3) feet in height
- xi. *Signs* shall not be posted from 6:00 p.m. Sunday through 6:00 p.m. Friday.



15. *Scoreboards* for public and private recreational facilities and institutions that do not provide for commercial or business advertising purposes.

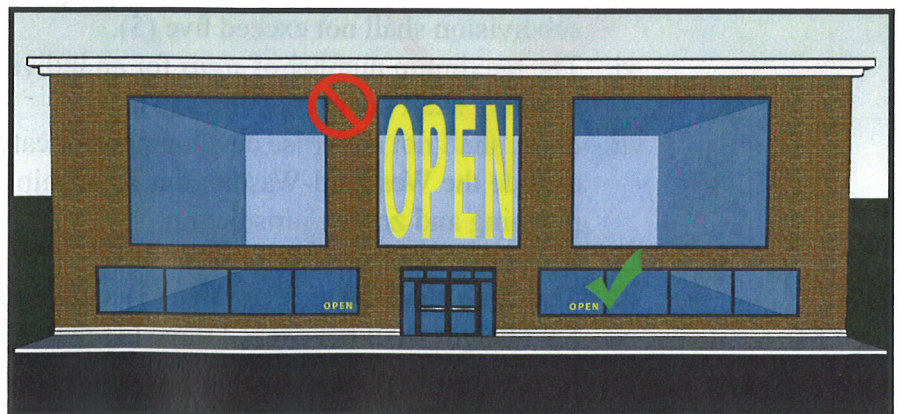


16. *Menu Board sign* for a drive-thru facility intended to serve patrons provided:

- i. Two (2) *menu board signs* shall be allowed per parcel.
- ii. *Signs* shall not exceed thirty-two (32) square feet in size.
- iii. *Signs* shall not exceed eight (8) feet in height.
- iv. *Signs* may be *illuminated* according to the following lighting pattern:
 1. If the *sign* is *illuminated* internally, lighting shall not exceed 10 *foot-candles*.
 2. If the *sign* is *illuminated* externally, lighting shall not exceed 15 *foot-candles*.
 - a. Lighting shall be directed solely at the sign face.
- v. *Signs* shall be located on the interior of the lot and shall not be legible from the perimeter of the site.
- vi. *Sign* shall be intended only to service the public utilizing the drive-thru facility.
- vii. The placement, color or *illumination* shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.

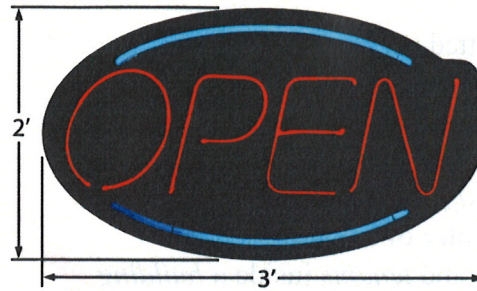
17. *Window signs* include any *sign* visible from the exterior of the *building*.

- i. *Signs* shall not occupy more than twenty-five (25) percent of the window upon which it is placed, except as noted below.
- ii. *Signs* shall not be *illuminated* except as noted below.



- iii. *Signs* used to designate a business establishment as “open” and having exposed neon or the appearance of exposed neon shall be permitted as part of the allowable *sign area*.

- 1. *Sign* shall not exceed six (6) square feet.



- 18. *Sandwich Board signs* shall be permitted in residential and commercial districts provided:

- i. General Standards

- 1. The placement of *sandwich board signs* shall not impede pedestrian or vehicular traffic.
- 2. *Sandwich board sign area* shall not exceed six (6) square feet per face.
- 3. *Sandwich board sign* width shall not exceed two (2) feet when measured from the outside of a *sign* support or *sign* face.
- 4. *Sign* height shall not exceed five (5) feet when measured from the ground to the top support with the *sign* open and fully extended.
- 5. *Signs* shall not be permanently affixed to any structure or sidewalk.

- ii. Residential *Sandwich Board Signs*

- 1. One (1) *sandwich board sign* shall be permitted per subdivision entrance.
- 2. *Signs* shall have a base support and shall be weighted with a minimum of ten (10) pound ballast to ensure *sign* stability.
- 3. *Signs* shall be posted for no more than seven (7) consecutive days.
- 4. *Signs* shall not be placed in the public *right-of-way*.

- iii. Nonresidential *Sandwich Board Signs*

- 1. *Signs* shall be removed at the close of business each day.
- 2. *Signs* shall be placed within ten (10) feet of and directly in front of the *building* facade having a patron entrance.
 - a. In the Downtown district, as defined by the Westfield-Washington Township Comprehensive Plan, *signs* shall be allowed in the *right-of-way*, on the sidewalk, on the condition that pedestrian traffic and vehicular traffic are not impaired by the placement of the *sign*

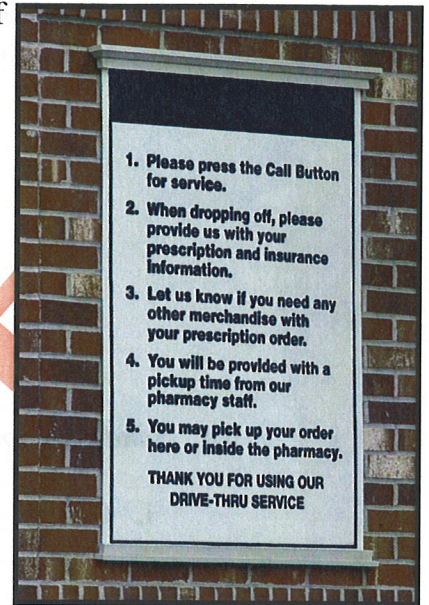


19. *Informational signs* attached to a nonresidential *building* and of a size and scale intended to be viewed by pedestrians, such as but not limited to menus, hours of operation, etc. provided:

- i. One (1) *sign* is permitted per business.
- ii. *Signs* shall not exceed four (4) square feet in area.
- iii. *Signs* shall not exceed six (6) feet in height.

20. Name plates or *directory signs*, defined as a *sign* located at the pedestrian entry of a nonresidential *building* listing occupants and *tenants* inside a *building* or *address*, provided:

- i. *Signs* are limited to one (1) per *building* unless the *building* has more than one entrance or direct *frontage* on more than one public *right-of-way*, in which case two (2) *signs* are permitted.
- ii. *Signs* must be located within fifteen (15) feet of a patron entrance.
- iii. *Signs* shall not be greater than four (4) square feet in area.
- iv. *Signs* mounted on the exterior wall of a building or freestanding shall not exceed five (5) feet in overall height.
- v. For developments with multiple *buildings* or entrances, the style of the name plate or *directory sign* shall be consistent.



21. *Directional signs*

- i. The number of *signs* shall be limited to three (3) per lot, unless otherwise granted as determined by the Community Development Director or their designee.
- ii. *Signs* shall be planned, coordinated and approved for an entire site, not at the requests of individual *tenants*.
- iii. No *sign* shall be placed within setback areas.
- iv. *Signs* shall not be used as driveway identification markers, except in the case of a one-way drive as determined by the Community Development Director or their designee.
- v. *Signs* shall not be used for advertising purposes. Commercial or business names or logos are prohibited on *directional* signage.
- vi. *Signs* shall not exceed three (3) square feet per face.
- vii. *Signs* shall not exceed four (4) feet in height.
- viii. *Directional signs* shall be approved as part of *sign plans* as outlined under General Regulations.

22. *Temporary signs* related to an election, to identify seasonal events or other civic functions provided:

- i. *Signs* shall not be placed more than 60 days before the event or the cause it advertises or supports.

- ii. *Signs* must be removed within seven (7) days after the event advertised or supported event has occurred, or when the *sign* becomes mutilated, damaged or unreadable, whichever comes first.
- iii. *Signs* shall not exceed sixteen (16) square feet in area or four (4) feet in height in commercial and industrial districts.
- iv. *Signs* shall not exceed six (6) square feet in area or three (3) feet in height in residential districts.

E. General Sign Regulations

Except as otherwise provided in this Article, it shall be unlawful for any person to erect, construct, enlarge, replace, move, re-face or convert any *sign* within the Westfield-Washington Township planning and zoning jurisdiction, or cause the same to be done without first obtaining a *sign* permit. The following general *sign* standards apply to all *signs* within the Westfield-Washington Township planning and zoning jurisdiction.

1. *Sign Area*

- i. *Sign area* shall be measured as the total area of a *sign* included within a rectangle created by encompassing the outermost edges of letters and symbols and including the area within any *illuminated* border. An area so created shall include all solid surfaces as well as openings.
- ii. Allowable *Sign Area* permitted shall be one (1) square foot per one (1) linear foot of *building* or tenant space *fronting* on a public *right-of-way* except as otherwise noted in this ordinance.
- iii. In no instance shall *wall sign* square footage exceed the linear footage of the wall on which it is placed.
- iv. In no instance shall a permitted nonresidential use or *tenant* be restricted to less than twenty-five (25) square feet of *sign area*, nor shall any permitted nonresidential use or *tenant* be permitted to display more than five hundred (500) square feet of *sign area* unless otherwise noted in this Article.
- v. *Sign area* is the total permitted, not per side of *sign*, unless otherwise noted.



2. *Sign Plans* are required for all new construction of nonresidential developments.
 - i. Site plan, to scale, depicting the location of all nonresidential *center* signage including but not limited to *wall, monument, awning, directional* and *regulatory*.
 - ii. Site plan, to scale, depicting the traffic circulation and any pavement markings to facilitate a safe flow of pedestrian and vehicle traffic.
 - iii. *Building* elevation, to scale, depicting the approximate location of all signage.
 - iv. Description and detail of uniform lighting method (for example: reverse channel, channel, and exterior above or exterior below).
 - v. Description of *sign* colors, lettering style, graphic style, materials, locations and dimensions.
 - vi. Description and detail of landscaping for all *monument, center, subdivision entrance* and *subdivision transition signs*.
3. *Signs* shall have a uniform theme for all *multiple tenant* and multiple *building* developments.
4. Any *sign* determined by the City to be a detriment to the public health, safety, and general welfare of the community will be removed by the City at the property owner's expense.
5. *Panel* or *box signs* shall have opaque backgrounds with light or white color lettering and logos when permitted by this Article.
6. Any *signs* affixed to a wall shall not be located or hang lower than eight (8) feet from grade or sidewalk below which the *sign* is fastened.
7. *Monument signs* shall include the *address* or *address* range of the *business* or *businesses* advertised.
 - i. *Addresses* shall not count towards *sign area*.
 - ii. *Addresses* may be located in the cap or base of a *monument sign*.
8. *Reverse Channel Letters* may be used for signage in accordance with the following:
 - i. *Illumination* shall be in accordance with the standards set in this Article.
 - ii. Individually mounted letters may be used; however, if the letters are mounted on a raceway or track, then the raceway or track shall be the same color as background material upon which it is mounted.
9. *Signs* must be kept clean, painted, in working operation and free of hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in a safe condition so as to not be detrimental to the public health, safety or general welfare.
10. Abandoned *sign* copy, foundations, and structures shall be removed by the property owner or leasee of a site upon which the *sign* is located within three (3) months after the business or service advertised by the *sign* ceases operations.

11. The construction and structural components of all *signs* shall be in accordance with the standards and regulations of the International Building Code as adopted by the City of Westfield.

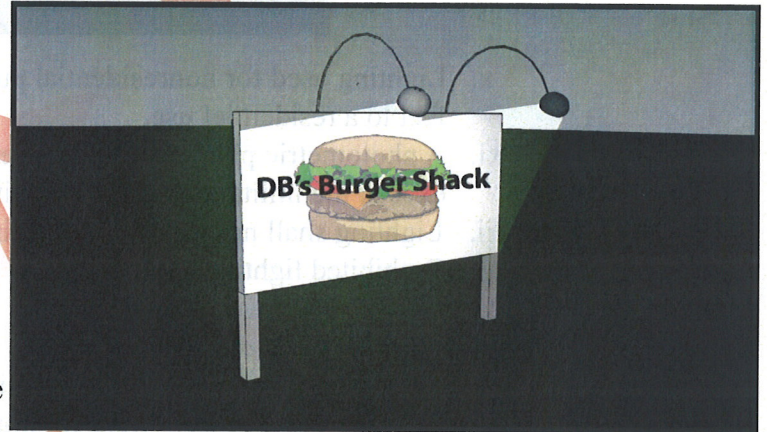
12. Landscaping

- i. The base of all *monument, center signs, subdivision entrance, and subdivision transition signs* shall be planted with a combination of low level shrubbery, plants, and flowers.
- ii. In the case of new construction, plantings shall be complimentary to the proposed development's landscape plan.
- iii. In the case of existing construction, plantings shall be consistent with the site.

13. Illumination

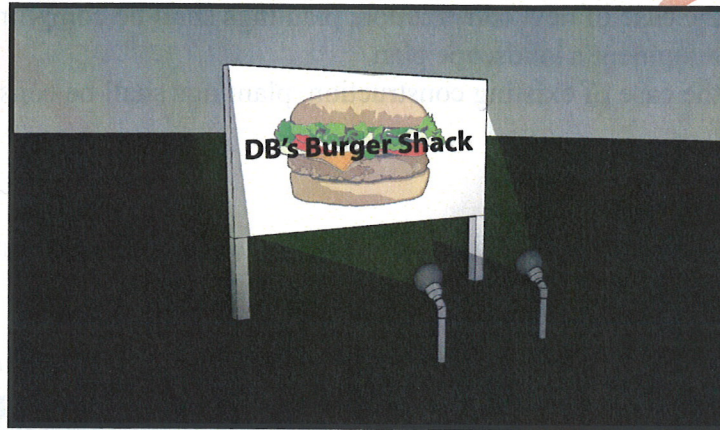
Unless otherwise noted within this Article, *signs* may be lighted. Lighting shall comply with the lighting standards contained in the zoning ordinance.

- i. *Signs* may be either internally *illuminated* or externally *illuminated*, not both.
- ii. *Illumination* levels of externally *illuminated signs* shall not exceed 30 *foot-candles* as measured one (1) foot from the face of the *sign* unless otherwise noted in this article.
- iii. *Illumination* levels of internally *illuminated signs* shall not exceed 20 *foot-candles* as measured one (1) feet from the face of the *sign* Unless otherwise noted in this Article.
- iv. Lights shall be stationary, *shielded* and directed solely to *illuminate* the *sign*.
- v. Lighting shall be located in a manner that does not interfere with *sign* content.
- vi. Lighting shall be uniform throughout a development.
- vii. Light sources shall be *shielded* from all adjacent residential districts, *buildings* and streets and shall not be of such brightness as to cause glare that is hazardous to pedestrians, vehicles or create a nuisance.
- viii. *Sign* lighting shall be switched off at the close of business or 11:00 p.m. whichever is earlier.
 1. Businesses open twenty-four (24) hours may leave their *sign* light on from dusk to dawn.



ix. Ground mounted lighting

1. Lighting shall have internal or external light control *louvers*. *Louvers* shall be designed and installed to confine ninety (90) percent of the light to the *sign*. Additional external *louvers* or barn-door style *louvers* shall be specified, if required to control light spill.
2. Lighting shall not exceed twelve (12) inches in height from grade.
3. Lighting shall be screened from view by plantings.



- x. Lighting used for nonresidential purposes shall not be located closer than twenty-five (25) feet to a residential use.
- xi. A photometric plan may be required by the City to confirm that light emitted does not exceed the limitations specified within this Article.
- xii. Lighting shall not rotate, pulse, blink, flash or simulate motion.
- xiii. Prohibited lighting types:
 1. *Mercury Vapor*
 2. *Festoon Lighting*
 3. Laser source light or similar high intensity lighting
 4. *Incandescent light* for nonresidential purposes
 5. Exposed or uncovered neon tubing
 6. Open spark or flame
 7. Searchlights, floodlights and spotlights

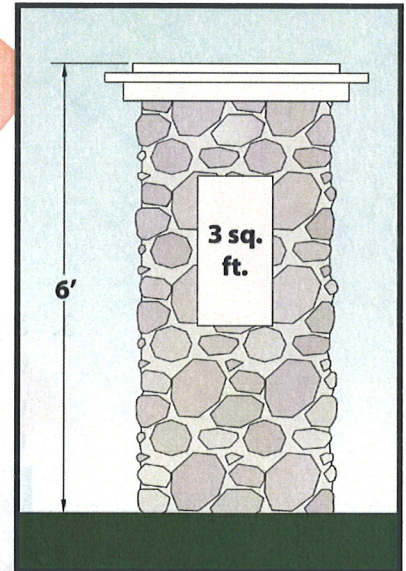


14. All wiring, fittings and materials used in the construction, connection and operation of electrically *illuminated signs* shall be in accordance with the provisions of the International Building Code as adopted by the City of Westfield and shall be contained. No wiring may be exposed on the surface of any element of the *sign*.

F. Residential District Signs

No *sign* shall be erected in a residential district except for the following:

1. *Subdivision Entrance signs* for residential complexes and subdivisions shall be permitted one of the following options:
 - i. One (1) *monument sign* per residential complex or subdivision entrance provided:
 1. *Sign* shall not exceed sixty (60) square feet.
 2. *Sign* shall be *illuminated* by external *illumination*.
 3. *Sign* display area shall be incorporated into a wall or other decorative feature.
 - ii. Two (2) separate *monument signs* flanking the street access per entrance provided:
 1. *Sign area* of the two *signs* combined shall not exceed sixty (60) square feet.
 2. *Signs* shall be *illuminated* by indirect *illumination*.
 3. *Sign* display areas shall be incorporated into wall or other decorative feature.
2. *Subdivision Transition signs* for residential subdivisions shall be permitted provided:
 - i. *Sign area* shall not exceed three (3) square feet.
 - ii. *Sign* shall not be *illuminated*.
 - iii. *Sign* shall be located on a *pillar* located at the transition between two (2) different subdivisions on a local street.
 1. One (1) *pillar* is permitted per subdivision at each subdivision transition.
 - a. *Sign* shall be located on the right side of the road entering the new subdivision.
 2. *Subdivision Transition Signs* shall not be used to designate differences between individual builders.
 3. *Pillar* shall not exceed an overall height of six (6) feet.
 4. *Pillar* shall be constructed of materials matching or complementary to those used for the *Subdivision Entrance Signs*.
3. Home occupations shall be permitted one (1) *sign* per residence provided:
 - i. *Sign* shall not exceed 4 square feet in total *sign area*.
 - ii. *Signs* shall be affixed to a wall or the door of the structure containing the business.
 - iii. *Sign* shall be *illuminated* with residential low wattage indirect *illumination*.

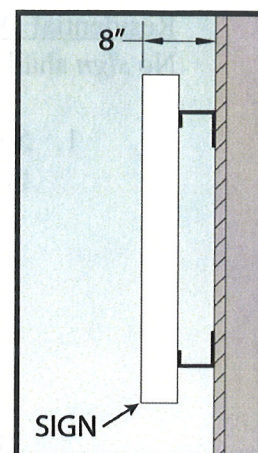


4. Permitted Nonresidential Uses in Residential Districts

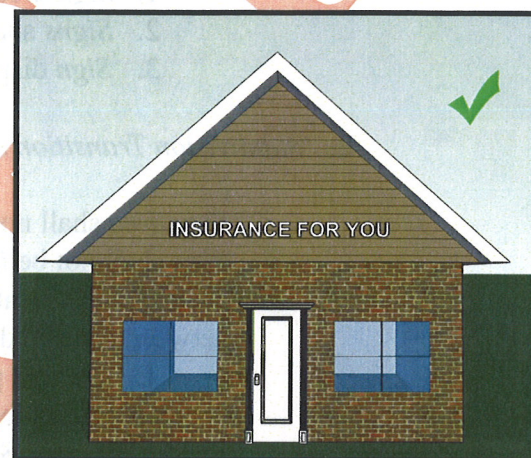
Illumination standards for the following *signs* shall be in accordance with this Article. Total *sign area* may be divided between *wall*, *monument*, and *changeable copy*.

i. Wall Sign

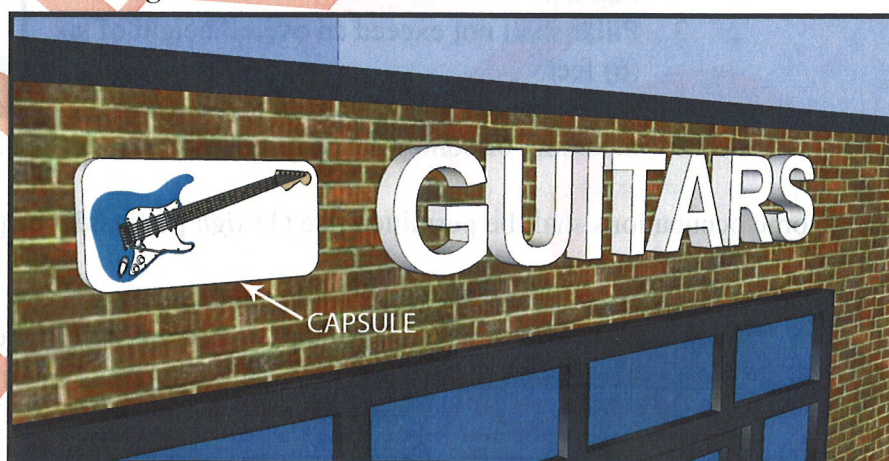
1. *Signs* shall not extend more than eight (8) inches beyond the surface or the portion of the wall on which it is erected or fastened.



2. *Signs* shall be located within the *building's* architectural elements, such as but not limited to a *gabled roof*.

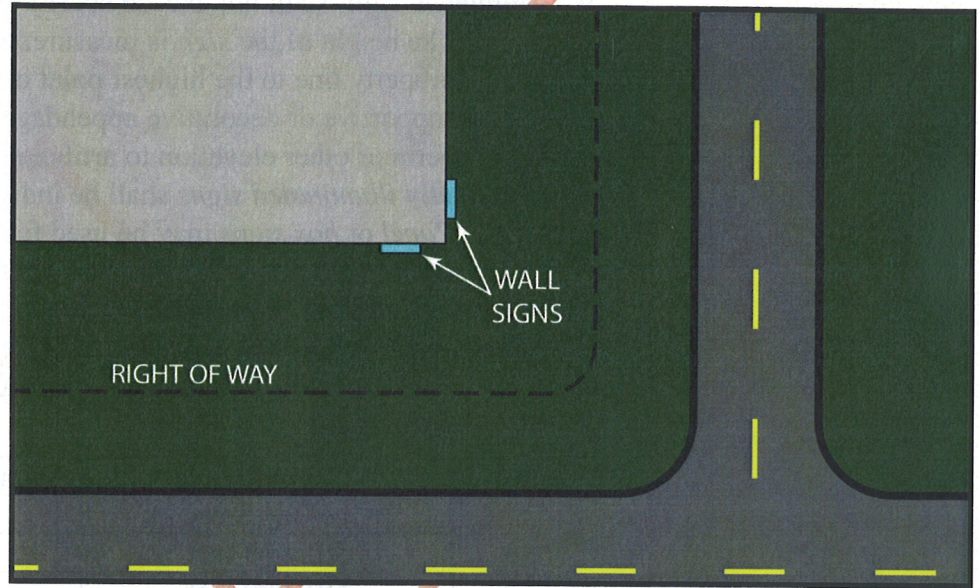


3. *Signs* shall utilize individual lettering. Box or *panel signs* are not permitted except a *box* or *panel "capsule"* may be permitted provided the size does not exceed fifteen (15) percent of the allowable *sign area* and is included in the total *sign* calculation.



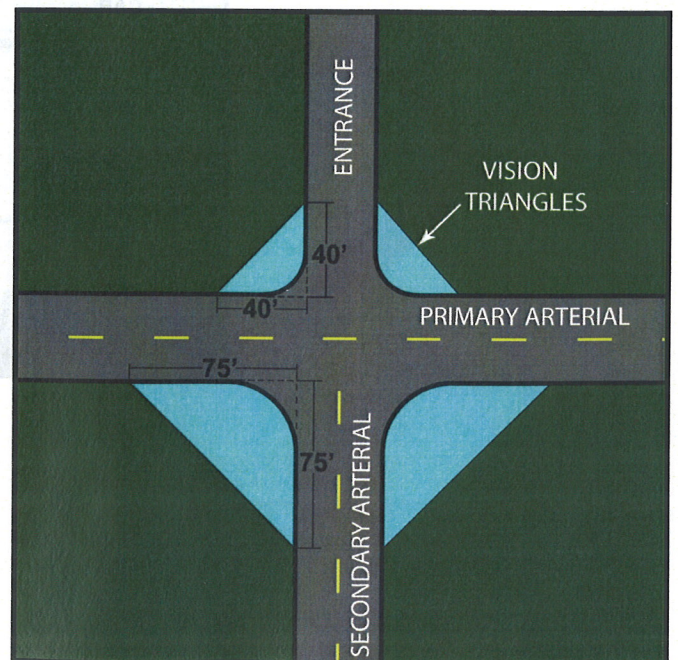
4. If *sign* is attached to an exposed raceway or track, the raceway or track must match the color of the wall to which it is fastened or mounted.

5. One (1) *wall sign* is permitted per parcel. One (1) additional *sign* may be permitted provided:
 - a. *Tenant* or *building* located at a corner immediately adjacent to two intersecting public *rights-of-way* shall be allowed a second *sign*. The second *sign* shall be deducted from the total *sign* allotment for the business or *tenant* in the case of a *multiple tenant building*.
 - b. *Signs* shall be located on separate, adjoining walls facing the two respective public *rights-of-way*.



ii. Monument Sign

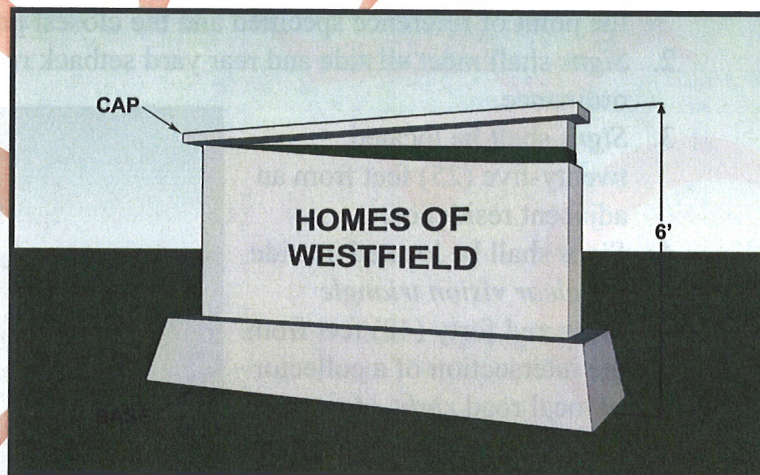
1. *Signs* shall be located at least ten (10) feet from the *right-of-way* or common access easement. The setback of a *sign* shall be measured as the distance between the point of reference specified and the closest point on the *sign*.
2. *Signs* shall meet all side and rear yard setback requirements as set by this zoning ordinance.
3. *Signs* shall be located twenty-five (25) feet from an adjacent residence.
4. *Signs* shall be located outside the *clear vision triangle* measured forty (40) feet from the intersection of a collector or local road *right-of-way* or easement; or seventy-five (75) feet from the intersection of arterials. *Monument signs* shall not inhibit the vision of motorists and pedestrians. In the case of access drives or private roads, the *clear vision triangle* shall be measured from the edge of pavement.



5. *Monument signs* in residential districts shall not exceed thirty-six (36) square feet.
 - i. *Sign area* will be deducted from total *sign area* allowed for a development.
6. Material used for the *sign* bases, supports and cap must match or be complementary to the *building* materials used on the site.
7. Caps and bases shall not be used for display or advertising purposes except for an address or address range for the businesses advertised on the *sign*.
8. The ground at the base of the *sign* shall be planted with a combination of low shrubs and flowers.
9. *Monument signs* shall not exceed six (6) feet in height including cap and base.
 - i. The height of the *sign* is measured from the level of the ground nearest the property line to the highest point of the *sign* structure including any supportive or decorative appendages. *Sign* shall not be located on top of a berm or other elevation to artificially increase the height.
10. Internally *illuminated signs* shall be individual letters.
 - i. *Panel* or *box signs* may be used for *multiple tenant signs* which include signage for three (3) or more *tenants*.
11. One (1) *sign* shall be permitted for every three hundred (300) feet of *frontage* along a public *right-of-way*. See table below.
 - i. Each *sign* will be deducted from the total *sign area* allowed per development.

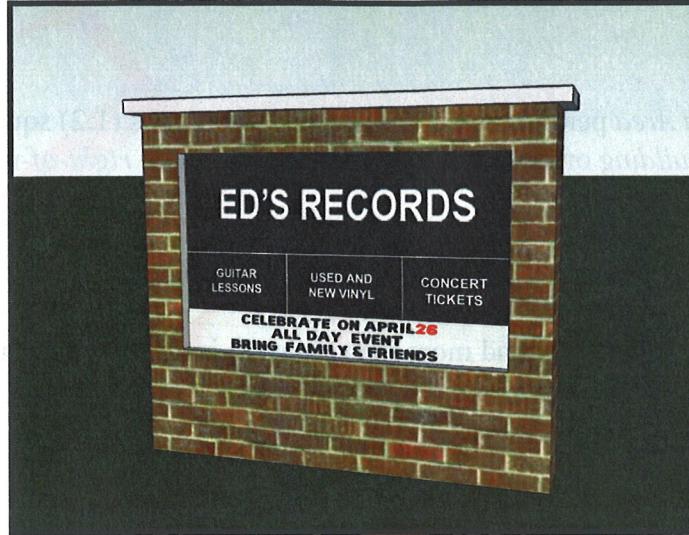
<i>Frontage</i>	<i>Number of Signs Allowed</i>
1-300 feet	1
301-600 feet	2
601-900 feet	3
900 feet or greater	4

12. *Outlots* of developments and *tenants* in *multiple tenant* buildings shall not be permitted individual *monument signs*.



5. *Changeable Copy Sign*

- a. *Changeable copy* signage shall be allowed only when incorporated into a permanent *sign* structure as allowed by this ordinance.
- b. *Changeable copy* signage area shall be counted towards the total *sign area* allocation for the site.
- c. *Changeable copy* signage shall not exceed more than twenty (20) percent of the total *sign*.



6. *Temporary Signs*

- a. *Temporary* signage shall not exceed one (1) banner per permitted use in a residential district at one time.
- b. *Sign* shall not exceed thirty-two (32) square feet in size.
- c. *Sign* shall be securely attached to a structure or rigid support device(s), such as poles, rods, stakes or fencing.
- d. *Temporary* signage shall be placed on the property on which the permitted use is being conducted.
- e. *Temporary signs* shall not be *illuminated*.
- f. *Temporary sign* permits shall be limited to a maximum of fifteen (15) consecutive calendar days per quarter.
 - i. The allotted fifteen (15) consecutive calendar days per quarter may be divided into smaller, nonconsecutive segments, as granted by the City Council or designee.
- g. Application must be made, and a *temporary sign* permit issued PRIOR to the display of *temporary* signage.
- h. *Temporary sign* permits may be issued for a calendar year or renewed on a quarterly basis at the Community Development Department.

G. Nonresidential District Signs

Illumination standards for the following *signs* shall be in accordance with those established in this Article. Total *sign area* may be divided between *wall, projecting, awning, monument, and changeable copy* signage except as otherwise noted in this Article. New construction shall be required to provide a *sign plan* including all signage for the entire site prior to the approval of any individual *tenants or outlots*. *Sign Plan* requirements are located under General *Sign Regulations*. No *sign* shall be erected in a nonresidential district except for the following:

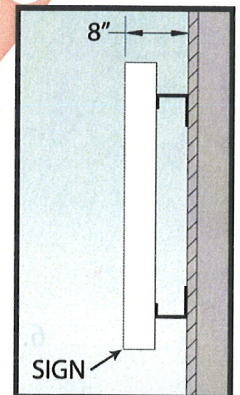
1. General Standards

- i. Allowable *Sign Area* permitted shall be one and two tenths (1.2) square foot per one (1) linear foot of *building* or tenant space *fronting* on a public *right-of-way*.

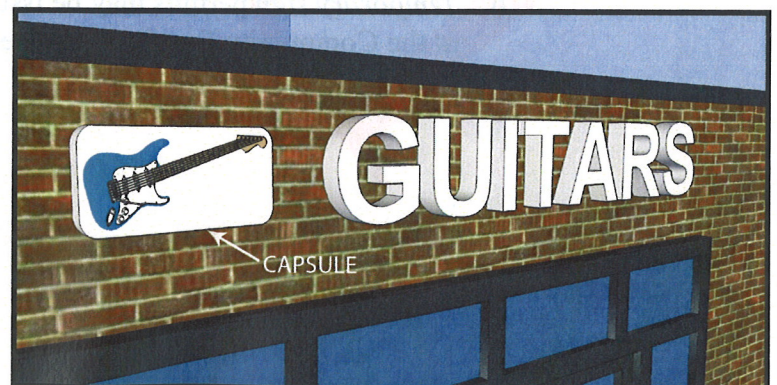
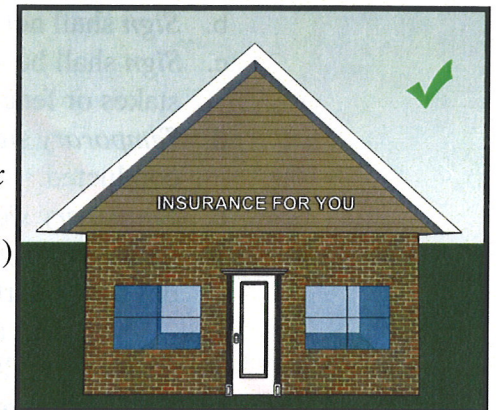
2. *Wall Sign*

- i. *Ground Floor, Single-Story Businesses and Tenants, Individual Nonresidential and Outlots*

1. *Signs* shall not extend more than eight (8) inches beyond the surface or the portion of the wall on which it is erected or fastened.

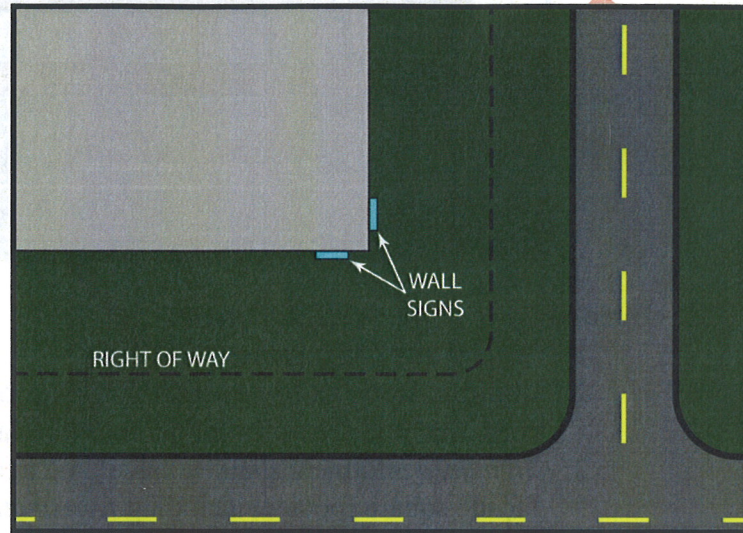


2. *Signs* shall be located within the *building's* architectural elements, such as but not limited to a *gabled roof*.
3. *Signs* shall utilize individual lettering. *Box or panel signs* are not permitted except a *box or panel "capsule"* may be permitted provided the size does not exceed fifteen (15) percent of the allowable *sign area* and is included in the total *sign area* calculation.
4. If *sign* letters are attached to an exposed raceway, the raceway must match the color of the wall to which it is fastened or mounted.
5. *Signs* shall be located on the front *building facade* and used only to display the name and/or logo of the business.
6. *Signs* shall not be located higher than twenty-six (26) feet and no lower than eight (8) feet when measured from grade or sidewalk below the *sign*.



7. One (1) *wall sign* is permitted per *tenant*. Additional *signs* may be permitted provided:

- a. *Tenant* or *building* located at a corner immediately adjacent to two intersecting public *rights-of-way* shall be allowed a second *sign*. The second *sign* shall be deducted from the total *sign* allotment for the business or *tenant* in the case of a *multiple tenant building*.



- b. Where a nonresidential *building* or *tenant* is located along the US 31 *right-of-way*, provided said *building* or *tenant* is not located at the corner of two intersecting public *rights-of-way*, shall be allowed a second *sign* on the US 31 *building* elevation. The second *sign* shall be deducted from the total *sign* allotment for the business or *tenant* in the case of a *multiple tenant building*.

ii. *Two-Story, Multiple Tenants*

1. The *sign area* allotment shall be calculated at a rate of 0.35 square feet of signage for each linear foot of the entire front *building* elevation.
 - a. The .35 *sign area* allotment shall be divided between the total number of *second floor tenant signs* allowed.
2. Each *two-story, multiple tenant structure* shall be permitted *second-floor tenant* signage using the following chart:

Linear feet of Front <i>Building Elevation</i>	Number of <i>Signs</i> Allowed
0- 199 feet	1
200-399 feet	2
400 feet or greater	3

3. No *tenant* shall be permitted more than one (1) *sign* on the front *building* elevation.
4. All *second floor tenant signs* shall be located six (6) inches from the top edge of the *building facade* on the front *building* elevation.
5. The total permitted second floor *sign area* allocation may be divided between *wall* and *awning signs*.

6. *Second floor tenant signs* shall be located on the front *building* elevation.
7. Additional *second story* signage as outlined above for *ground floor, single story tenants*, is prohibited adjacent the US 31 *right-of-way*.



iii. Three-Story or more, *Multiple Tenants*

1. Second story signage is prohibited.
2. Multiple-story, *multiple tenant buildings* of three or more stories shall be permitted one (1) *wall sign* per *building* façade adjacent to a public *right-of-way*.
3. *Sign area* allotment shall be calculated at a rate of one (1) percent of the *building* façade square footage, including *fenestrations*.
4. *Upper floor tenant signs* shall be located six (6) inches from the top edge of the *building* façade.

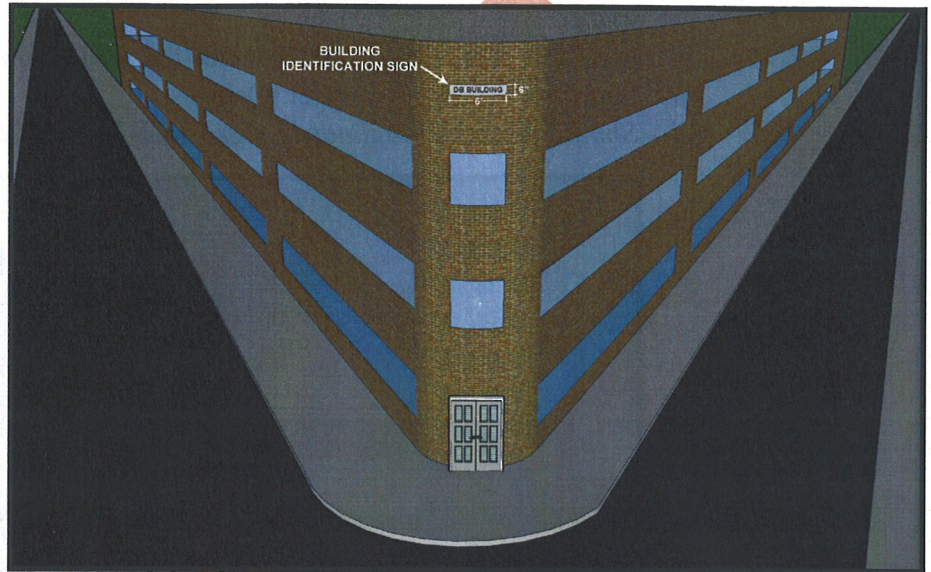


3. *Building Identification Signs*

- i. Permitted only on multiple story *buildings*.
- ii. General Standards
 1. One (1) *building identification sign* is permitted per patron entrance.
 2. *Building identification signs* shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance.
 3. *Building identification signs* shall not include *tenant* information.
 4. *Building identification signs* shall not be *illuminated*.
- iii. *Building Identification Signs* on a Canopy
 1. Shall not exceed twelve (12) inches in height.
 2. Shall not exceed twelve (12) feet in length.
 3. *Sign* shall be incorporated into the canopy feature and not protrude off the structure.

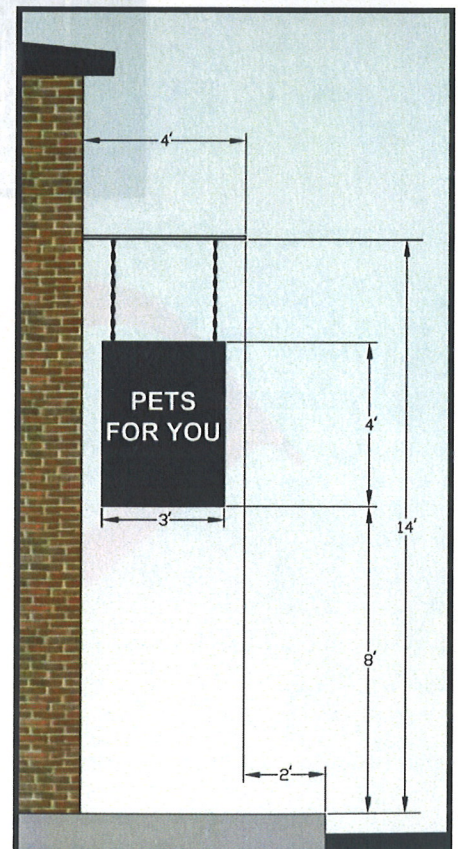
iv. *Other Building Identification Signs*

1. Shall not exceed six (6) inches in height.
2. Shall not exceed six (6) feet in length or the width of a patron entrance, whichever is less.
3. *Building identification signs* shall not protrude from the *building* façade and shall be incorporated into an architectural feature of the building
 - a. *Transom Window signs* are permitted and shall not exceed seventy-five (75) percent of the transom window area.



4. *Projecting signs* shall be permitted in the Downtown district, as defined by the Westfield-Washington Township Comprehensive Plan provided:

- i. *Signs* shall not project more than four (4) feet beyond the wall on which it is fastened.
- ii. *Signs* shall not exceed twenty four (24) square feet.
- iii. No *sign* shall extend above the *roof line* or the highest point of the wall of the *building* on which it is located or fourteen (14) feet from finished grade, whichever is less.
- iv. *Signs* shall be installed in such a manner that allows for a clearance of eight (8) feet between the grade below where the *sign* is hung and the lowest edge of the *sign*.
- v. No *sign* shall project within two (2) feet of the curb of a street, driveway or parking space.
- vi. *Signs* shall be fastened perpendicular to the wall having the establishment's main public entrance.
- vii. *Sign area* shall be counted towards the *sign area* allocation for the site.
- viii. *Signs* are limited to one per business.
- ix. *Should signs* be *illuminated*, *signs* shall be indirectly *illuminated* from above.



6. *Awning Signs*

- i. *Signs* shall be printed or sewn on *awnings* mounted on the façade of a *building*.
- ii. *Signs* shall cover no more than thirty-five (35) percent of the *awning*.
- iii. No *awning sign* shall extend above the *roof line* or the highest point of the wall of the *building* on which it is located or fourteen (14) feet from finished grade, whichever is less.
- iv. *Awnings* shall be installed in such a manner that allows for a clearance of eight (8) feet between the grade below where the *awning* is hung and the lowest edge of the *awning*.
- v. No *awning* shall project within two (2) feet of the curb of a street, driveway or parking space.
- vi. *Sign area* shall be counted towards the *sign area* allocation for the site.
- vii. *Signs* are limited to one per business.
- viii. *Should signs be illuminated, signs* shall be indirectly illuminated from above.



7. Monument Sign

- i. Signs shall be located at least ten (10) feet from the public *right-of-way* or common access easement.
- ii. Signs shall meet all side and rear yard setback requirements as set by this zoning ordinance.
- iii. Signs must be located twenty-five (25) feet from an adjacent residence.
- iv. Signs must be located outside the *clear vision triangle* measured forty (40) feet from the intersection of a collector or local road *right-of-way* or easement; or seventy-five (75) feet from the intersection of arterials. *Monument signs* shall not inhibit the vision of motorists and pedestrians. In the case of access drives or private roads, the *clear vision triangle* shall be measured from the edge of pavement.
- v. *Sign Area and Sign Height*
 1. The height of the *sign* is measured from the level of the ground nearest the property line to the highest point of the *sign* structure including any supportive or decorative appendages. *Sign* shall not be located on top of a berm or other elevation to artificially increase the height.

Table 1

Type of Sign	Sign Area (sq. ft.)	Sign Height (ft.)
Center Monument Sign	96	10
Individual Nonresidential Signs ^a	48	8
Downtown Monument Signs ^{a,b}	24	6

a. Sign Area shall be deducted from the total allowed per development.

b. The Downtown area is defined by the Westfield-Washington Township Comprehensive Plan.

- vi. Material used for the *sign* base and/or supports must match or be complementary to the *building* materials used on the site.
- vii. Caps and bases shall not be used for display or advertising purposes except for an *address* or *address* range for the businesses advertised on the *sign*.
- viii. One (1) *sign* shall be permitted for every three hundred (300) feet of *frontage* along a public *right-of-way*.

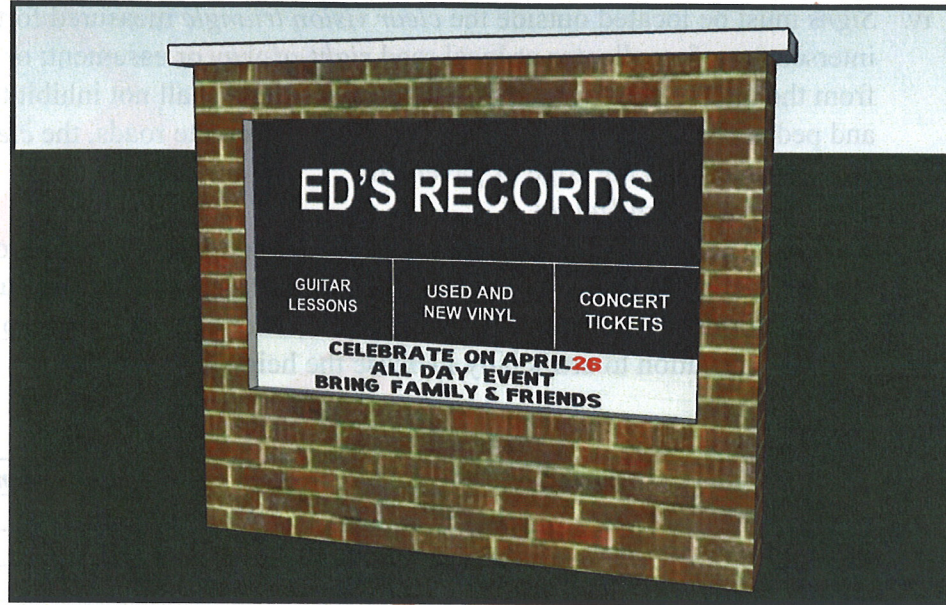
Table 2

Frontage	Number of Signs Allowed
1-300 feet	1
301-600 feet	2
601-900 feet	3
900 feet or greater	4

- ix. Internally *illuminated signs* must contain individual letters; *panel* or *box signs* may be used for *multiple tenant signs* which include signage for three (3) or more *tenants*.
- x. *Outlots* of developments and individual *tenants* in *multiple tenant structures* shall not be permitted individual *monument signs*.

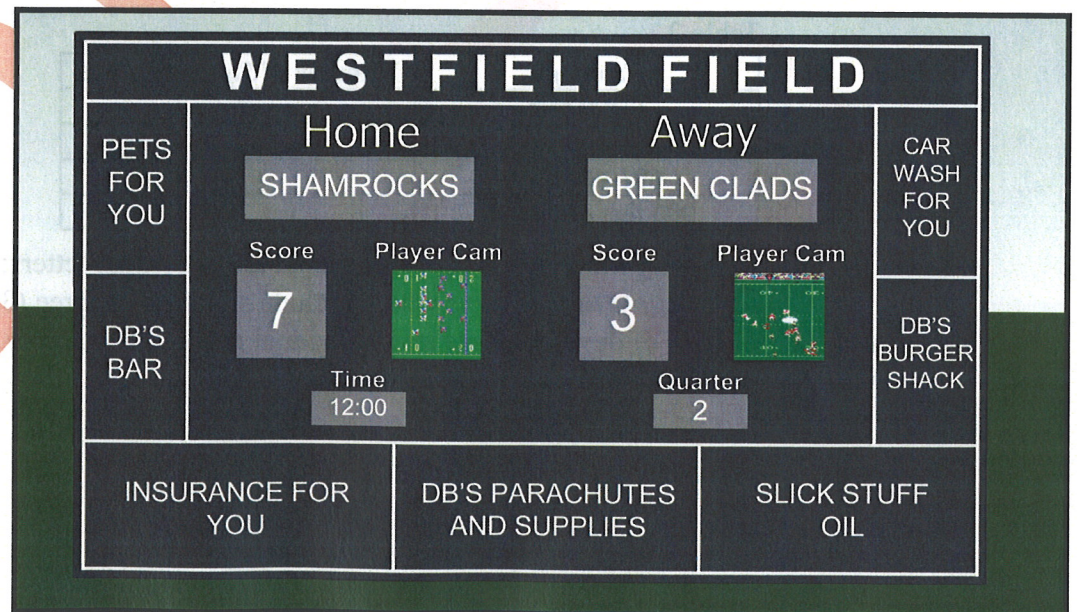
8. *Changeable Copy Sign*

- i. *Changeable copy* signage shall be allowed only when incorporated into a permanent *sign* structure as allowed by this ordinance.
- ii. *Changeable copy* signage area shall be counted towards the *sign area* allocation for the site.
- iii. *Changeable copy* signage shall not exceed more than twenty (20) percent of the total *sign*.



9. *Scoreboards* for public and private recreational facilities that provide for commercial or business advertising purposes shall be permitted provided:

- i. All *scoreboards* that are *illuminated* or contain off-site advertising must be positioned so as to not be seen outside the site.
- ii. Lighting of a *scoreboard* shall be permitted in a nonresidential district.
 1. *Scoreboards* shall not exceed 30 *foot-candles* when measured one (1) foot in front from the face of the *scoreboard*.



10. *Temporary Sign*

- i. Any *sign* placed on utility poles, traffic lights, traffic signals, street *signs*, fire hydrants, trash receptacles, benches, *trees*, or other publicly-owned items will be removed by the City.
- ii. Any permitted *temporary* and special event *sign* determined by the City to be a detriment to the public health, safety, and general welfare of the community will be removed by the City.
- iii. *Temporary* signage is prohibited in public *rights-of-way*.
- iv. *Temporary* signage shall not exceed one (1) banner per *tenant*.
- v. Banner shall not exceed thirty-two (32) square feet in size.
- vi. Banner shall be securely attached to a structure or rigid support device(s), such as poles, rods, stakes or fences.
- vii. *Temporary* signage shall be placed on the property on which the permitted use is being conducted.
- viii. *Temporary signs* shall not be *illuminated*.
- ix. *Temporary sign* permits shall be limited to a maximum of fifteen (15) consecutive calendar days per quarter.
- x. The allotted fifteen (15) consecutive calendar days per quarter may be divided into smaller, nonconsecutive segments, as granted by the Community Development Director or their designee.
- xi. Application must be made, and a *temporary sign* permit issued PRIOR to the display of *temporary* signage.
- xii. *Temporary sign* permits may be issued for a calendar year or renewed on a quarterly basis at the Community Development Department.

H. Permits

After the effective date of adoption or amendment of this ordinance, and except as otherwise provided, no person shall erect any *sign* as defined herein without first obtaining a *sign* permit from the Community Development Department. The Community Development Department Director or their designee shall have the authority to review and decide upon all *sign* permit applications. *Signs* which shall not require a permit are listed under D. Exemptions, of this ordinance. Application for a permit shall be made in writing upon forms prescribed and approved by the Community Development Director.

1. One (1) copy of the application, plans and supplemental information shall be filed with the Community Development Department.
2. Application for a permit shall contain the following information:
 - i. Name, *address* and telephone number of the property owner, business owner and contractor.
 - ii. Site *address*.
 - iii. A site plan indicating the location of any *building(s)* and the location of the proposed *sign(s)*.
 - iv. A site plan indicating the location of any existing *sign(s)*.
 - v. Area, in square feet, of all proposed and existing *sign(s)*.
 - vi. A true color rendering of the elevation of proposed *signs* including size, materials, color and dimensions.
 - vii. *Illumination* details for proposed *signs*, including the type of lighting, method of control and timing of *illumination*.
 - viii. Indication of proposed *sign(s)* type as defined in this Article.
 - ix. Written consent of the owner of the *building*, structure, or land on which the *sign* is to be erected if the applicant is not the owner.
 - x. *Temporary sign(s)* schedule of display including date and duration of display.
 - xi. Any other information necessary to support a thorough review of the project and as requested in writing by the Community Development Director or their designee.
3. Upon receipt of all necessary submissions the Community Development Department shall review the application for conformity with all requirements of this ordinance. The Community Development Department shall have ten (10) business days to review *sign* permit applications. A permit shall be issued by the Community Development Department for a *sign* that meets the requirements set forth in this Article.
4. Permits shall not be transferred in any manner whatsoever if the *sign(s)* covered by the permit are altered. Should a *sign(s)* permit under review be altered, a new application and fees shall be submitted to the Community Development Department for review.
 - i. Changes requested by the City to bring a *sign* in compliance with this Article shall not constitute an alteration requiring a new application and fees.
 - ii. The following shall constitute an altered permit:
 1. Change in *sign* contractor.
 2. Change in business name.
 3. Change to or from non-*illuminated* to *illuminated*.
 4. Change in structure or mounting.

5. A permit may be conditioned upon compliance with reasonable regulations or limitations having regard to the character of the *sign*, the surroundings in which it is to be displayed, and the purposes of this ordinance.
6. A permit may be suspended by the Community Development Department Director or their designee for the following reasons:
 - i. Any provision of this ordinance is being violated.
 - ii. Any condition of the permit is not being observed.
 - iii. It is necessary to preserve or protect the public health, safety or general welfare.
7. Permit fees shall be paid prior to the issuance of a *sign* permit.
 - i. Permit fees shall be assigned as directed by the Community Development Department Fee Schedule.
 - ii. Permit fees may be altered or amended by the City Council.

I. Appeals and Variances

1. The Board of Zoning Appeals shall have the power to hear and decide appeals resulting from the enforcement of this ordinance where it is alleged by the appellant that there is an error in any order, requirement, decision or determination made by the Community Development Director or any other administrative official. The Board of Zoning Appeals shall act in accordance with their Rules of Procedure.
2. A variance may be granted by the Board of Zoning Appeals only in cases involving practical difficulties or unnecessary hardships when the evidence supports all of the following affirmative findings:
 - i. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
 - ii. The use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner.
 - iii. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.
3. If the Board of Zoning Appeals upholds the determination of the Community Development Director or their designee, the appellant must correct the violation and pay any outstanding fees and penalties within thirty (30) days of the decision by the Board of Zoning Appeals.

J. Violations and Penalties

1. When, in the opinion of the Community Development Department Director, a violation of this ordinance exists, the City shall issue a written notice to the alleged violator. If the violator desires to appeal the decision, a request for a hearing from the Board of Zoning Appeals shall be made within thirty (30) days. The written notice shall include:
 - i. Those specific sections of the ordinance which the individual has violated.
 - ii. A date for compliance which shall not exceed thirty (30) consecutive calendar days.
 - iii. A description of the specific violation, appeals process and enforcement provisions including penalties that may be assessed.
 - iv. A stop work order for any and all work on any *signs* on the site.
 - v. Notice of seeking an injunction or other restraint that requires the removal of the *sign* or correction of the nonconformity.
 - vi. Imposition of civil penalties in accordance with schedule outlined under Penalties in this section.
 - vii. Other remedies provided for or allowed by State law or other City Codes.
2. When in the opinion of the Community Development Director, a *sign* is determined to be abandoned or structurally, materially or electrically defective, or in any way endangers the public, said Director or their designee shall issue a written order to the *sign* owner, property owner, and occupant of the premises stating the nature of the violation and requiring the *sign* to be repaired or removed within thirty (30) days of the date of order.
3. In cases of emergency, the Community Development Director may cause the immediate removal of a dangerous or defective *sign* without notice at the expense of the property owner. *Signs* removed in this manner must present a hazard to the public safety as provided in the City's Building Code.
4. Penalties
 - i. Any person who violates a provision of this ordinance or who fails to comply with any of the requirements thereof or who shall erect, construct, alter or repair a *sign* in violation of the ordinance shall be responsible for a municipal civil infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
 1. The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction:
 - a. \$50 for the first day of violation.
 - b. \$100 for the second day of violation.
 - c. \$200 for the third day of violation.
 - d. \$400 a day each day thereafter that the violation continues plus costs and sanctions of each offense.
 - ii. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the Judge or Magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of the ordinance.

1. The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction:
 - a. \$50 for the first day of violation.
 - b. \$100 for the second day of violation.
 - c. \$200 for the third day of violation.
 - d. \$400 a day each day thereafter that the violation continues plus costs and sanctions of each offense.
- ii. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the Judge or Magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of the ordinance.

K. Amendments

1. All amendments to this ordinance shall be in conformance with State Statutes.

L. Validity

1. If any title, article, section, clause, paragraph, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other title, article, section, clause, paragraph, provision or portion of this ordinance.

M. Adoption

1. This ordinance shall be in full force and effect from and after this passage.

